

**Enrolled Minutes of the Meeting
73rd Regular or Special Meeting
Twenty-Sixth Town Council of Highland
Special Meeting
Thursday, December 30, 2010**

The special meeting of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Thursday, December 30, 2010** at the time of 6:31 o'clock p.m.

Roll Call: Councilors Bernie Zemen, Brian Novak, Dan Vassar; Konnie Kuiper and Mark A. Herak were present. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

Others present: Ed Dabrowski, IT Director; was also present.

The Town Council President Mark A. Herak presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings.

The session was opened with Councilor Mark A. Herak leading the pledge of allegiance to the United States Flag and offering a prayer.

Special Orders:

Action on Presentations by Insurance Agents for Property, Commercial and other non-health insurance lines for the Town of Highland for FY 2011.

- (1) At the special meeting of Monday December 27, 2010, Councilor Kuiper moved and Councilor Vassar seconded to select Crowel Insurance as the agent of record and to approve the proposal described as the premium summary (*located on page 9 in the presentation materials*) with the stated premium of \$ 314,656. Prior to a vote, Councilor Novak moved and Councilor Zemen seconded to post pone the pending motion and to convene a special meeting of the Town Council to consider the matter on **Thursday, December 30, 2010 at 6:30 p.m.** Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Novak and Herak voting in the affirmative and Councilors Vassar and Kuiper voting in the negative, the motion passed. This matter is to be considered this meeting.
 - (a) Consideration of the postponed, pending motion to select Crowel Insurance as the agent of record and to approve the proposal described as the premium summary (*located on page 9 in the presentation materials*) with the stated premium of \$ 314,656. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Zemen, Novak and Herak voting in the negative and Councilors Vassar and Kuiper voting in the negative, the motion failed. He selection of Crowel Insurance as the agent of record and to approve the proposal described as the premium summary (*located on page 9 in the presentation materials*) with the stated premium of \$ 314,656 was defeated.
 - (b) Consideration of other motions on the matter of the Commercial and other non-health insurance lines for the Town of Highland for FY 2011.

The Town Council President filed the following comparative analysis regarding the proposals made by the three agencies.

Deductible Line of Coverage	Current Program	Crowl Insurance Bliss McKnight (page 9)	Henriott Group	Brown Insurance HCC
Commercial General Liability	\$10,000	\$0	\$0	\$5,000
Public Official's Liability	\$10,000	\$10,000	\$5,000	\$10,000
Employment Practices Liability	\$10,000	\$10,000	\$5,000	\$10,000
Law Enforcement Liability	\$10,000	\$10,000	\$10,000	\$10,000
Automotive Liability	\$10,000	\$0	\$0	\$5,000
Auto Physical Damage	\$500/\$500	\$1,000/\$1,000	\$500/\$500	\$500/\$500
Excess Liability (S.I.R.)	\$10,000	No Excess Coverage	\$0	\$0
Property	\$10,000	\$10,000	\$5,000	\$10,000
Inland Marine (Equipment)	\$10,000	\$2,500	\$2,500	\$1,000
Flood	\$25,000	\$100,000	\$25,000	\$50,000
Earthquake	No Coverage	\$50,000	\$25,000	\$50,000
Computer Hardware & Media (EDP)	\$1,000	\$10,000	\$1,000	\$1,000
Crime (Employee Dishonesty)	\$500	\$2,500	\$500	\$500
Terrorism Coverage	Included	Included	Included	Included
*Henriott includes Uninsured/Underinsured Motorist coverage at \$1,000,000. It is an option for Bliss McKnight at \$4,900.				
Uninsured Motorist		\$4,900.00	Incl	Incl
Annual Premium (not inclusive of Workers Comp)	\$224,418	\$220,246.00	\$205,637	\$205,487
		\$225,146.00		
Commercial Property				
Building	Included in Blanket	Included in Blanket	Included in Blanket	Included in Blanket
BPP/Machinery/Equipment	Included in Blanket	Included in Blanket	Included in Blanket	Included in Blanket
Outdoor Property and Equipment				
Total Insured Values at all locations	\$39,623,268	39,953,852	\$39,623,268	37,478,437
Business Interruption (72 hour deductible)	\$500,000	Included in limit above	\$500,000	500,000
Extra Expense				500,000
Co-Insurance	100%		100%	
Perils Covered	Special Form	Special Form	Special Form	Special Form
Valuation Method	Replacement Cost	Replacement Cost	Replacement Cost	Replacement Cost
Deductible	\$10,000	10,000	\$5,000	10,000
Flood Coverage (\$25,000 deductible)	\$5,000,000	\$10,000,000 (100K deduct)	\$5,000,000	1,000,000
Earthquake Coverage (\$25,000 deductible)	No Coverage	\$10,000,000 (50K deduct)	\$5,000,000	1,000,000
Contractor's Equipment				
Scheduled Equipment (list provided by Town)	\$1,228,976	\$1,525,974	\$1,228,976	\$4,110,514
Miscellaneous Tools and Equipment	\$115,000		\$115,000	648725
Leased/Rented/Borrowed Equipment	\$200,000		\$200,000	\$200,000
Deductible	\$10,000	10,000	\$2,500	\$1,000
Valuation Method				Replacement Cost
Electronic Data Process (EDP)				
EDP Coverage - Hardward and Media	\$803,197	811,197	\$803,197	\$850,600
Deductible	\$1,000	10,000	\$1,000	\$1,000
Commercial Automobile				
Combined Bodily Injury & Property Damage Liability	\$1M	\$5M/10M	\$1M	\$1M
Uninsured Motorist	\$1M	\$100,000	\$1M	\$1M
Underinsured Motorist	\$1M	\$100,000	\$1M	\$1M
Medical Payment - Each Person	\$5,000	No Coverage	\$5,000	5,000
Non-Owned and Hired Auto	\$1M	\$5M/10M	\$1M	\$1M
Physical Damage (deductible shown)	\$500/\$500	\$1,000/\$1,000	\$500/\$500	\$500/\$500
Deductible on Liability (BI/PD per Accident)	\$10,000	\$0	\$0	\$0
Composite Rated Auto	Yes		Yes	Yes
Agreed Value on Fire Trucks	Yes	Yes	Yes	Yes
Commercial General Liability				
Each Occurrence	\$1M	\$5M	\$1M	\$1M
General Aggregate	\$2M	\$10M	\$2M	\$2M
Products and Completed Operations	\$2M	\$10M	\$2M	\$2M
Personal and Advertising Injury	\$1M		\$1M	\$1M
Damage to Rented Premises (Each Occurrence)	\$100,000		\$1M	\$1M
Medical Expenses (Any one Person)	Not Covered		Not Covered	5000
Employee Benefits Liability / Aggregate	\$1M/\$3M	\$5M/10M	\$1M/\$3M	\$1M/\$3M
Sexual Abuse and Molestation	Not Included	Included	Included	Included

Deductible Line of Coverage	Current Program	Crowel Insurance Bliss McKnight	Henriott Group	Brown Insurance HCC
Professional Liability and Executive Protection				
		(*Shared limits)		
Public Official's Errors and Omissions (Claims made 01/01/2006 retro)	\$1M/\$2M	\$5M/10M*	\$1M/\$2M	\$1M/\$2M
Employment Practices Liability (EPLI) (Claims made 01/01/2006 retro)	\$5M/\$5M	\$5M/10M*	\$1M/\$2M	\$1M/\$2M
Employee Benefits Liability /Aggregate (Claims made 01/01/2006 retro)	\$1M/\$3M	\$5M/10M*	\$1M/\$3M	\$1M/\$3M
Law Enforcement Liability (Occurrence Form)	\$1M/\$2M	\$5M/10M*	\$1M/\$2M	\$1M/\$2M
Sexual Abuse and Molestation	\$1M/\$1M		\$1M/\$1M	\$1M/\$1M
Failure to Supply	\$1M/\$1M		\$1M/\$1M	\$1M/\$1M
Commercial Crime				
Computer Fraud	No Coverage	100,000	\$100,000	\$100,000
Employee Theft	\$50,000	100,000	\$100,000	\$100,000
Forgery and Alteration	No Coverage	100,000	\$100,000	\$100,000
Money and Securities (In and Out)	\$10,000	100,000	\$100,000	\$100,000
Money Orders/Counterfeit Paper Currency	No Coverage	100,000	\$100,000	\$100,000
			\$100,000	\$100,000
Basis for Coverage	Loss Sustained		Loss Sustained	Loss Sustained
Cyber Liability				
Data Breach	Not found in Policy		\$25,000	
Electronic Data Damage - Employee	Not found in Policy		\$50,000	
Electronic Data Damage - Non-Employee	\$10,000		\$50,000	
Cyber Vandalism: Income Loss- Employee	Not found in Policy		\$50,000	
Cyber Vandalism: Income Loss- Non-Employee	Not found in Policy		\$10,000	
Denial of Service Coverage (DOS)	Not Covered		\$10,000	
Commercial Umbrella				
Each Occurrence	\$4,000,000	No umbrella	\$4,000,000	\$4,000,000
Annual Aggregate	\$4,000,000	No umbrella	\$4,000,000	\$4,000,000
Retained Limit	\$10,000	No umbrella	\$0	\$0
	General Liability Professional Liability Auto Liability		General Liability Professional Liability Auto Liability	General Liability Professional Liability Auto Liability
Extends Coverage over:		No umbrella		

The Council consented without objection to offer nominations of the agent of record and plan. Following nominations, then a vote could be taken upon a roll call, with each councilor responding with the insurance agent-nominee and plan that was desired. following nominations were received:

Councilor Novak nominated Henriott for all lines but Workers Compensation.
Councilor Zemen nominated Brown Insurance Group.
Councilor Vassar nominated Crowel Insurance Agency.

The Town Council President noted that there were no further nominations, a roll call was conducted to select the insurance line and agency as proposed for the Town. The Town Council President reminded the Town Council that upon a roll call vote, each councilor should respond with the insurance agent-nominee and plan that was desired. Once a majority was attained, that would be the agent of record and plan that would be adopted. The Town Council consented to this voting approach. Upon a roll call vote, the following responses were received:

Councilor Zemen voted for Brown Agency and its plan.
Councilor Vassar voted for Crowell Insurance Agency and its plan.
Councilor Novak voted for Henriott Insurance and its plan.
Councilor Kuiper voted for Crowell Insurance Agency and its plan.
Councilor Herak voted for Henriott Insurance and its plan.

The Town Council President noted that no agency and plan was the clear winner. The Town Council President invited a motion to eliminate the agency and plan which received the least votes and proceed to vote by roll call for the remaining two agencies and plans.

Councilor Vassar moved to remove the Brown Insurance Agency and its Plan from consideration by the Town Council. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Brown Insurance Agency and its plan were eliminated from the next round for consideration.

President again reminded the Town Council that upon a roll call vote, each councilor should respond with the insurance agent-nominee and plan that was desired, but not including the agency and plan that was just withdrawn from consideration by the Town Council. He further noted that once a majority was attained by a given agent of record and the associated plan, that would be the agent of record and plan, they would be adopted. The Town Council again consented to this voting approach. Upon a roll call vote, the following responses were received:

Councilor Zemen voted for Crowel Agency and its plan.
Councilor Vassar voted for Crowell Insurance Agency and its plan.
Councilor Novak voted for Henriott Insurance and its plan.
Councilor Kuiper voted for Crowell Insurance Agency and its plan.

The Town Council President noted that Crowel agency and its plan had attained a majority and elected not to cast a vote. He declared that the Crowell Agency and its plan were selected for the Town of Highland.

Workers Compensation Plan. Councilor Zemen moved to approve Brown Insurance Group's Workers Compensation Plan and name it as agent of record with an *estimated premium* of \$91,312. Councilor Novak seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors, Zemen, Novak and Herak voting in the affirmative and Councilors Vassar and Kuiper voting in the negative, the motion passed. The Brown Insurance Group's Workers Compensation Plan was approved and Brown was named agent of record for the line of insurance. It was further noted that the Workers Compensation Plan did not renew until February of 2011.

By this vote, removing the workers compensation line from the proposal offered by the previously considered proposals, the premium for the lines of insurance that were awarded to Crowel Agency was \$220,246 without the pollution perils and \$227,383 with pollution perils.

The purposes of the special meeting having been realized, Councilor Kuiper moved and Councilor Vassar seconded, that the special meeting of the Highland Town Council of **Thursday, December 30, 2010**, be adjourned. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The special meeting of the Highland Town Council was adjourned at 6:41 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer